

Should academic lawyers blog?

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I started—two years ago—writing the predecessor to this blog (*i.e.* Mark’s blog [Public Law for Everyone](#), *Red. VerfBlog*) in an attempt to enable people thinking of studying Law at university to find out more about the subject, to make a more-informed decision about whether they would enjoy studying it, and to allow them to test and explore their emerging interest in it. (There was also a less altruistic motive, in that I hoped this would encourage applications to St Catharine’s College, Cambridge, where I am a Fellow.) I soon came to realize, however, that writing a blog could not only facilitate outreach to prospective Law students, but that it also had the potential to play a significant role in relation my core research and teaching activities—as a means of reaching out to current Law students, other academics, and practitioners, and as a way of incubating and acting as a vehicle for the dissemination of my own ideas and research outputs. It is considerations such as these which have shaped this blog, *Public Law for Everyone*, and which inform its ongoing evolution.

Why blog?

There are many reasons why an academic lawyer might write a blog (as well as many reasons why she might not), but four particular reasons for doing so occur to me. The first is perhaps peculiar—although not, I am certain, unique—to the way in which I work. When I started as a doctoral student, my PhD supervisor very wisely encouraged me to begin writing my thesis—or at least to begin writing draft chapters or fragments of chapters that would evolve into something liable to be included in the finished version—almost from the off. That was very sound advice which I followed as a research student, and which has influenced my approach to legal research and writing ever since. This has, I think, served me well not least because a highly iterative approach suits my style of working through issues. I find it difficult to think through an issue, or through the relationship between a set of issues, until I put pen to paper (or finger to keyboard); in other words, I find it hard to separate the writing process and the development of the ideas that form the subject-matter of whatever it is I am writing about. The writing process is therefore an integral part of the way in which my research and the development of my ideas happens.

This way of working will not suit everyone, and probably cuts across best practice which calls for meticulous planning and structuring before the substantive business of writing an article, paper, chapter or thesis gets underway. (I am not suggesting that I never plan anything: but I do perhaps exhibit a greater element of the diving-in-and-seeing-how-things-develop approach than I would feel comfortable advocating to a student.) Nor does such a methodology, even if adopted, require writing that forms early parts of the iterative process to take the form of blog posts: much of my own academic writing still consists of the drafting, redrafting and refining process without any blog post writing at all; but there is, I think, sometimes a place for writing posts as part of this type of iterative writing process.

For my own part, I find writing posts on recent developments that have caught my attention, and which are likely to find their way into larger projects on which I am working, a useful way of beginning to crystallize my thinking, and of developing ideas and perspectives that may feed into longer pieces. Writing such posts forces me to confront and get to grips with cases, select committee reports or other contemporary materials that might otherwise simply have been filed in a very large (electronic) box of things “to be read”. Such pieces, in combination, can—and, for me, sometimes have—ended up as the seeds of longer articles, a cluster of short, analytical posts having the capacity to serve a useful gestation function.

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a full article or book chapter: an exercise that goes beyond sketching an abstract or drawing up a preliminary structure, but which stops short of attempting to distil a finished piece into a shorter form. Attempting to sketch an argument that one plans to make in a full article, and to do so in a way that will—hopefully—be accessible and make sense to others is, I think, an excellent discipline, and a way of stress-testing, at a fairly early stage, ideas that may (or may not) eventually make it into the longer piece. It can also be a way of securing feedback from others about ideas while they remain at a relatively formative stage.

For me, then, the blog post as part of the iterative process of writing, research and idea-development is the first—and stronger—attraction of the form. However, there are other factors that stoke my enthusiasm for writing pieces of this nature. A second relates to the notions of impact or engagement: something [my Cambridge physicist colleague Professor Athene Donald has written about](#). UK-based academics will be all too familiar with “impact” as a term of art, now that assessment of it forms part of the [Research Excellence Framework](#). Having sat on my Faculty’s REF Committee and been involved in writing impact statements, I would certainly not suggest that producing the occasional blog post is sufficient to take care of the REF impact criterion, notwithstanding that publishing in this form lends itself to evaluation by reference to the sort of metrics to which so much weight appears to be attached in other disciplines (but which has largely been resisted, so far at least, in Law). Nevertheless, while blogging is unlikely to supply a complete answer to the demand for demonstrable impact, it is nevertheless a useful way of engaging with audiences beyond academia in ways that may trigger consequences or open up opportunities resulting in impact.

A third, and closely related, point is that writing a blog creates opportunities for dialogue—with academic colleagues at other institutions, with students (at one’s own institution and elsewhere), and with broader constituencies. This is not to suggest that it is a suitable replacement for other forms of dialogue—such as exchanging ideas at conferences or inviting colleagues to comment on draft papers—but it is a useful additional opportunity. I have found comments I have received on blog posts sketching early thinking about subjects to be tackled in longer publications particularly valuable.

Fourth, writing a blog is a way of bridging the gap that may sometimes exist between teaching and research activities. At last year’s conference in Manchester on the teaching of public law, I spoke about the [arguably unique opportunities that public lawyers have for harnessing contemporary events and issues in the teaching of their subject](#). I have found that writing on my blog about recent developments is way of shining a light on them while also approaching them from the perspective of my current research interests and activities. In this way, the possibility of a virtuous circle arises: one that enables contemporary matters to feed into research, but which also enables one’s research insights to illuminate recent current issues. And, given that—as I argued in my talk at last year’s conference—recent developments are a golden opportunity for stimulating student interest, the opportunities for synergies in this area are clear.

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Having said all of this, there are undoubtedly drawbacks to blogging—particularly to writing one’s own blog, as opposed to contributing occasionally to multi-author blogs such as the excellent [UK Constitutional Law Association](#) and [UK Human Rights](#) blogs. The most obvious is that it can be time-consuming, although precisely how time-consuming it is depends on how frequently one wishes to post, and on the extent to which the writing of blog posts is integrated with other aspects of one’s work. I have attempted to manage the risk of blogging being a distraction for core research and teaching activities by bearing in mind three points.

First, I have resisted any urge to attempt to position my blog as a comprehensive source of information. Many cases are decided, statutes enacted, reports written and lectures delivered that are interesting and important but about which I have not written, and about which I have felt no compulsion to write. My clear sense is that yielding to the temptation to blog in a comprehensive fashion would be disastrous, and would result in the maintenance of the blog becoming an all-consuming endeavour that would leave little, if any, time for anything else.

Second, I have taken it as a given that blog posts need not—and are not expected to be—as polished as articles in journals or other conventional forms of output. As an often-preliminary contribution or rapid response to something that has happened, been decided or been written, a blog post can—and, at least in my case,

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Third, I have attempted to focus my efforts on a relatively small cluster of topics that capture my interest, and which therefore feature in my research agenda. This form of selectivity helps to obviate the first of the risks mentioned above (i.e. attempting comprehensiveness), while enabling blogging to form an integral part of—rather than being a distraction from—research and more conventional forms of academic legal writing.

Blogging is not for everyone, and it may not always be for me: it is an interesting experiment which I am enjoying at present, and is something that I will continue to do for as long as I find it a fulfilling and constructive use of my time. Blog posts are not academic outputs in the way that journal articles, book chapters, textbooks or monographs are: they tend to be more inchoate, less polished and not the beneficiary of quality control mechanisms such as peer review. However, these points notwithstanding, I think that the blog post is beginning to come of age, in that it is taking its place as a form of writing that is part—but only a part—of mainstream academic output, and that it is shedding its image as the frivolous counterpart to “real” academic writing.

This post first appeared on Mark Elliott's blog, [Public Law for Everyone](#). He can be found on Twitter as [@DrMarkElliott](#).

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